

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES)
FOR THE STATE OF OKLAHOMA,)

Plaintiff,)

vs.)

TYSON FOODS, INC., et al,)

Defendants.)

4:05-CV-00329-TCK-SAJ

THE VIDEOTAPED DEPOSITION OF
BERTON FISHER, PhD, produced as a witness on
behalf of the Defendants in the above styled and
numbered cause, taken on the 23rd day of January,
2008, in the City of Tulsa, County of Tulsa, State
of Oklahoma, before me, Lisa A. Steinmeyer, a
Certified Shorthand Reporter, duly certified under
and by virtue of the laws of the State of Oklahoma.

1 willing to.

2 MR. PAGE: Well, my concern is that Dr.
3 Fisher is not the one that's done this work, and
4 contrary to your statement, there have been
5 calculations of waste production from other sources
6 provided.

09:35AM

7 MR. GEORGE: In whose materials?

8 MR. PAGE: Dr. Teaf comes to mind
9 immediately.

10 MR. GEORGE: You believe Dr. Teaf's
11 materials include computations as to the amount of
12 waste, say, for example, generated by cattle?

09:35AM

13 MR. PAGE: Yes. So that --

14 MR. GEORGE: It sounds to me that in light
15 of that, that you agree it's relevant to the PI or
16 it wouldn't have been produced in whatever expert's
17 materials, and at this junction I'm simply exploring
18 this witness' knowledge of that work.

09:36AM

19 MR. PAGE: Fair enough. You can explore,
20 but I think he's already testified that he did not
21 do the work, but go ahead. You can identify his
22 competence.

09:36AM

23 Q Dr. Fisher, after that exchange with lawyers,
24 you may have forgotten my question. Do you recall
25 it?

09:36AM